



# Department of Justice

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## **DAYTON MAN RECEIVES 84 MONTH-SENTENCE FOR LEADING PHONY PRICE CODE LABELING SCAM**

DAYTON – Tommy Joe Tidwell, age 35 of Dayton, was sentenced in United States District Court here today to 84 months imprisonment. Tidwell pleaded guilty in October to leading a conspiracy that manufactured and placed fraudulent Universal Price Code (UPC) labels on more than \$1 million in merchandise at large retail stores in order to buy the items at greatly reduced prices and then sell them for profit.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio; Keith L. Bennett, Special Agent in Charge, Federal Bureau of Investigation, Cincinnati Field Division, and Huber Heights Police Chief James Borland announced the sentence handed down today by U.S. District Judge Thomas M. Rose.

Tidwell, over the course of one year, conspired to steal more than \$1 million in merchandise from large retailers and sell the items through eBay. The targeted merchandise included high-end vacuum cleaners, electric welders, power winches, personal computers, and electric generators.

Tidwell created fraudulent UPC labels on his home personal computer. Conspirators entered various stores in Ohio, Illinois, Indiana, Pennsylvania and Texas and placed the fraudulent labels on merchandise they targeted, and then bought the items from the store. The fraudulent UPC labels attached to the merchandise would cause the item to be rung up for a price far below its actual retail value.

FBI agents and Huber Heights Police officers seized computers and stolen merchandise bearing the fraudulent labels when they executed a search warrant at Tidwell's house and arrested him on June 17. Tidwell has been in custody since his arrest. Tidwell must serve three years of supervised release at the conclusion of his prison term.

David J. Lombardo, age 44, who was indicted along with Tidwell, was sentenced in November to 60 months imprisonment on one count of conspiracy to use unauthorized access devices, and 60 months imprisonment on one count of use of unauthorized access devices, to be served concurrently. David A. Detrick, age 30, and Telisha Davis, age 28, who were also named in the indictment and have pleaded guilty, await sentencing.

Lockhart commended the joint investigation by FBI agents and Huber Heights police officers, and Assistant U.S. Attorney Dwight Keller, who prosecuted the case.

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